

Department of Licensing and Consumer Affairs



Office of Boards and Commissions

REQUIREMENTS FOR CONSTRUCTION CONTRACTOR'S EXAMINATION

1. COMPLETED AND NOTARIZED APPLICATION.
2. (2) PROFESSIONAL REFERENCE LETTERS FROM LICENSED GENERAL CONTRACTORS, PROFESSIONAL ENGINEERS OR REGISTERED ARCHITECTS.
3. (1) CHARACTER REFERENCE LETTER.
4. (3) 2X2 PASSPORT SIZE PHOTOGRAPHS OF APPLICANT.
5. FAVORABLE TAX CLEARANCE LETTER FROM THE V.I. BUREAU OF INTERNAL REVENUE.

COMPLETED APPLICATIONS SHOULD BE SUBMITTED TO:

**Department of Licensing and Consumer Affairs
Office of Boards and Commissions
Golden Rock Shopping Center, Christiansted
St. Croix, Virgin Islands 00820
(340) 773-2226 (phone)
(340) 778-8250 (fax)**

or

**Department of Licensing and Consumer Affairs
Office of Boards and Commissions
Property and Procurement Building
No. 1 Subbase, Room 205
St. Thomas, Virgin Islands 00802
(340) 774-3130 (phone)
(340) 776-8303 (fax)**

Attach 3
2x2 photos of
applicant here

1. Full Name _____
First Middle Last
2. Physical Address _____
3. Mailing Address _____
4. Business Address _____
5. Business Telephone () _____ 6. Home Telephone () _____
7. Birth Date _____ 8. Birth Place _____
9. Citizenship _____ 10. Naturalized: () yes () no
11. Social Security Number _____
12. Virgin Islands Resident () yes () no If yes, how long? _____
13. Previous Address _____
14. Present Business Activity _____
15. Have you ever been convicted of a felony? () yes () no
If yes, please explain: _____
16. Are you licensed in another state? () yes () no If yes, which state: _____

17. Has your license ever been revoked? () yes () no
If yes, please explain: _____

18. Have you ever been censured for unprofessional conduct? () yes () no
If yes, please explain: _____

Part III

19. LIST CURRENT PROFESSIONAL REGISTRATIONS:

State/Country	Registration or License #	Title of License	Expiration Date

20. LIST MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS:

Organization	Class of Membership

21. REFERENCES (2 Professional and 1 Character reference other than Board Members and Relatives of Applicant. Letters submitted must correspond with the names listed below.)

Name	Address	Telephone Number
1.		
2.		
3.		

Part IV

22. **EDUCATION:** (Please list in chronological order, beginning with most recent)

Name and Address of Institution	Attendance From To	Technical Course	Graduation	Degree Received

23. **TRAINING AND EXPERIENCE:** (Please list in chronological order your practical experience in the construction industry for at least the past 5 years) Use additional sheet if necessary, following the same format or attach resume.

From	To	Name, Address and Phone # of Employer	Name of Immediate Supervisor	Job Title Job Description

All information must be verifiable. Any false information may be reason for denial of application.

Part V

AFFIDAVIT

(Must be completed by all applicants)

24. State of _____
Territory of _____
Country of _____

I, _____, being duly sworn, depose and say that I am the person who executed the foregoing instrument; that I have read the same and know the contents thereof; that the matters stated therein are true to my knowledge; that I have not suppressed any information that might affect this application; and that I have read and understand this affidavit.

Applicant's Signature

Sworn and Subscribed before me this _____ day of _____, 20_____.

SEAL

Notary Public

My Commission expires on _____

Do not write below this line:

Disposition:

Application Approved:

() YES

() NO

DLCA Authorized Signature

Date: _____

DLCA Authorized Signature

Department of Licensing and Consumer Affairs



Office of Boards and Commissions

**STUDY GUIDE INFORMATION FOR CONSTRUCTION CONTRACTOR
EXAMINATION CANDIDATES**

The contents of the examination, include but are not necessarily limited to, information taken from the following reference materials.

- A. THE BUILDING CODE**, found in Title 29 of the Virgin Islands Code, can be obtained from the Office of the Lieutenant Governor.
- B. THE UNIFORM BUILDING CODE - 1994.**
- C. CONGRESS OF AMERICA BUILDING OFFICIALS (CABO) CODE.**

The applicant should be familiar with the following:

- 1. AMERICAN CONCRETE INSTITUTE CODES AND RULES**
 - a. Concrete strength, curing, testing and design
 - b. Installation of concrete forms
 - c. Different concrete mixes
- 2. USE OF THE AISC MANUALS AND THE APPLICATION OF THE FOLLOWING**
 - a. Bar size and bending
 - b. Steel strengths
 - c. Placement of installation of steel
- 3. APPLICATION OF TIMBER IN CONSTRUCTION**
 - a. Interior or exterior grade
 - b. Pressure or non-pressure treatment
 - c. Common sizes
 - d. Strength of different types of wood (UBC)
- 4. RESPONSIBILITIES VIS-AVIS**
 - a. Project architect and/or engineer

Department of Licensing and Consumer Affairs



Office of Boards and Commissions

- b. Owner - private or government - government procedures regarding change orders, payments and acquisitions of permits from the Department of Planning and Natural Resources
 - c. Labor laws for trades and crafts
- 5. **ESTIMATES**
- 6. **CONTRACTS - USE FLORIDA CONTRACTOR'S REFERENCE MANUAL, CHAPTER 5**
 - a. Essential elements of a contract
 - b. Types of construction contracts
 - c. Subcontractors
- 7. **PROJECT MANAGEMENT**
 - a. Scheduling
 - b. Critical path method
 - c. Cost control
- 8. **RISK MANAGEMENT**
 - a. Assessing risk
 - b. Insurance and insurance policies
 - c. Contract requirements
 - d. Types of construction insurance
 - e. Bonds
- 9. **SAFETY REGULATIONS - USE FLORIDA CONTRACTOR'S REFERENCE MANUAL, CHAPTER 8**
 - a. Federal OSHA
 - b. Asbestos
 - c. Hazardous chemicals

ACT NO. 63 37

BILL NO. 23-0006

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS OF THE UNITED STATES

Regular Session

1999

To create a Virgin Islands Board of General Construction Contractors

—0—

BE IT ENACTED by the Legislature of the Virgin Islands:

SECTION 1. (a) Title 27 of the Virgin Islands Code is hereby amended by adding a new Chapter 10 to read as follows:

"Chapter 10. Virgin Islands Board of General Construction Contractors

§ 321. Board of General Construction Contractors

(a) The Virgin Islands Board of General Construction Contractors is hereby established within the Department of Licensing and Consumer Affairs. The Board shall consist of seven members, including the Commissioner of the Department of Licensing and Consumer Affairs or his designee as an ex officio member, and six other members appointed by the Governor with the advice and consent of the Legislature. Each appointed member shall be a resident of the United States Virgin Islands and shall have been a licensed general construction contractor in good standing for at least three years prior to the date of appointment. Three members shall be residents of the District of St. Croix, and three members shall be residents of the District of St. Thomas/St. John, one of whom shall be a resident of St. John; provided, however, that at least two members from each district shall be member designees of the Association of General Contractors or a similar organization in the district in which he resides.

(b) The Governor shall appoint the Board as follows: two members shall be appointed for one year; two members shall be appointed for two years, and two members shall be appointed for three years. Thereafter, all members shall serve terms of three years, except that any person appointed to fill a vacancy occurring on the Board prior to the expiration of the term for which his predecessor was appointed, shall be appointed

only for the remainder of such term. Each member of the Board shall continue to serve until his successor is appointed by the Governor and confirmed by the Legislature. Four members of the Board shall constitute a quorum.

(c) The Board shall elect at its first meeting in each calendar year one of its members to serve as Chairman and another member to serve as Vice Chairman.

(d) The Board, under the hand of its Chairman and the seal of the Board, may subpoena witnesses and compel their attendance and require the production of papers, records or documents in any inquiry, proceeding or for discovery that may be instituted by it or be pending before it. Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.

(e) Each member of the Board shall receive \$50 for each day or part thereof spent in the work of the Board, plus actual travel expenses including meals and lodging.

(f) A member of the Board may be removed by the Governor for cause.

(g) As used in this Chapter, 'Board' means the Virgin Islands Board of General Construction Contractors and 'Commissioner' means the Commissioner of the Department of Licensing and Consumer Affairs.

§ 322. Unlawful practice of general construction

It shall be unlawful for any person to operate as a general construction contractor within the Virgin Islands unless he is licensed as provided for in this chapter.

§ 323. License required

(a) Any person wishing to become a general construction contractor in the Virgin Islands or to engage in any construction trade as a business shall obtain a license to do so in accordance with the provisions of this chapter.

(b) Notwithstanding subsection (a) of this section, the Virgin Islands Board of General Construction Contractors, established under section 321 of this chapter, shall issue a license to an applicant without examination, after making a determination that an applicant has practiced as a general construction contractor in the Virgin Islands for at least five years prior to the passage of this chapter and has not had any official complaints filed against the applicant and is in good standing with the Department of Licensing and Consumer Affairs.

§ 324. Powers and duties of the Board

The Board shall have the power and duty to:

- (a) adopt an official seal;
- (b) examine , recommend, issue, suspend and revoke licenses issued under this chapter;
- (c) establish fees to be charged and collected;
- (d) adopt, amend and repeal rules and regulations and bylaws, not inconsistent with the provisions of this chapter, upon finding that such are necessary for the furtherance of the provisions of this chapter, which rules, regulations or bylaws, when approved by the Governor, shall be deemed to be a part of and of the same effect as this chapter;
- (e) employ counsel, subpoena witnesses, and administer oaths;
- (f) submit to the Governor and to the Legislature, through the Commissioner, annual reports containing a summary of its work, and any other data, which the Governor, the Commissioner or the Legislature may request;
- (g) develop and administer the criteria, standards and testing for examination and determining the competency and qualifications of contractors;
- (h) determine the types and classes of licenses and the qualifications for each applicable license;
- (i) investigate acts of negligence, wrongdoing, and official complaints filed through the Department of Licensing and Consumer Affairs; and
- (j) establish and set the rate basis for fees.

§ 325. Applications for licenses; qualifications

(a) Applications for licenses under this chapter shall be forwarded to the Chairman of the Board and shall be accompanied by satisfactory proof in writing that the applicant -

(1) has resided in the Virgin Islands for twelve consecutive months immediately preceding his application; and

(2) is of good moral character as shown by at least three letters of favorable character testimony; and

(3) has had a previous valid license in any other jurisdiction or prior experience in the field of construction.

(b) The residence requirements specified in this section shall not apply to bona fide residents of the Virgin Islands who have been temporarily absent studying or practicing as general construction contractors.

§ 326. Examinations and issuance of licenses

(a) Every applicant for a license pursuant to this chapter shall be required to be tested in writing or orally and by practical examination issued and administered by the Board to show that the applicant has sufficient knowledge, technical training and administrative ability to perform, supervise and manage the practice of general construction. The Board shall administer examinations three times each year on each island. The Board shall also conduct such investigations as may be proper to determine the character, fitness, and knowledge of applicants.

(b) Within 15 days after an applicable examination, the Board shall notify the Commissioner of the names and addresses of all persons who have passed the examination and of the particular licenses they are entitled to receive. The Commissioner shall, upon such notification and payment of fees, issue such appropriate licenses.

(c) Any person who fails to pass an examination may apply for reexamination after the expiration of 60 days upon payment of the regular examination fee. No person shall be allowed to sit for the examination more than two times in any calendar year.

(d) All examinations and any accompanying information issued by the Board, to carry out the provisions of the chapter, shall be issued in English and in Spanish.

§ 327. Requirements for licensure

Applicants for licenses pursuant to this chapter shall:

(a) file with the Board proof that he carries all insurance required by law including, but not limited to Workmen's Compensation and adequate public liability and automobile insurance, and that he is financially responsible.

(b) show that he maintains a regular place of business at a physical address in the Virgin Islands.

§ 328. Use of licensee's name by another

No person who has obtained a license pursuant to this chapter shall allow his name or the business in whose name the license was issued to be used by another person or company either for the purpose of obtaining required permits or for doing business or work under such license.

§ 329. Bonds

(a) Every person licensed under the provisions of this chapter shall execute and deposit with the Commissioner a bond in a sum of not less than \$10,000 and with such number of U.S. Treasury listed and rated sureties as the Board may determine, to be conditioned upon:

(1) the faithful performance of all work in accordance with applicable building codes and regulations,

(2) the licensee's paying all fines and penalties properly imposed upon him for violation of the provisions of this chapter and any other applicable law; and

(3) the licensee's indemnifying the Government of the Virgin Islands as being held harmless from the consequences of any and all acts of said licensee during the period covered by such bond.

(b) No license issued pursuant to this chapter shall be valid unless a bond is executed and deposited as provided by this section. Pursuant to the powers granted by section 324 of this chapter, the Board may, by rules and regulations, uniformly increase the amount of any bond required by this section.

§ 330. Fees

The fee for taking each examination to be licensed as a general construction contractor shall be set by the Board but shall not be less than \$50. Such fee shall be paid to the Department of Licensing and Consumer Affairs prior to the examination.

§ 331. Revocation or suspension of licenses

(a) The Board may refuse to grant, or may suspend, revoke or refuse to renew any license if the holder has -

(1) secured such license by any misrepresentation;

(2) demonstrated a level of competence manifestly inconsistent with the retention of the license in question;

(3) engaged in fraudulent business activities or in misleading advertising practices;

(4) violated a provision of this chapter;

(5) committed an act of gross negligence or condoned such an act by an employee of his;

(6) failed to adequately and properly supervise employees in compliance with recognized safety standards as applicable to local and federal agencies having oversight and jurisdiction;

(7) failed to secure each required inspection of building construction in order to ascertain compliance with the Uniform Building Code, CABO Building Code and any other rules, regulations, applicable provisions and standards as they may apply or is amended hereafter; and,

(8) failed to perform construction in conformance with standards established by the Uniform Building Code, CABO Building Code and any other rules, regulations, applicable provisions and standards as they may apply or is amended hereafter.

§ 332. Charges against licensee; hearing

(a) Any person aggrieved by an action of a licensee may file charges against the licensee as set forth in this section. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the Board. The Board, unless dismissed by the Board as unfounded or trivial, shall hear all charges, after completing any necessary investigation.

(b) The time and place for the hearing shall be fixed by the Board and a copy of the charges together with a notice of the time and place of hearing shall be personally served on or sent by certified mail to the last known address of the licensee at least 15 days before the date fixed for the hearing.

(c) At any hearing the accused licensee shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense.

(d) No license shall be suspended or revoked except upon the agreement of at least four members of the Board.

(e) The losing party shall reimburse the prevailing party for all reasonable costs, expenses and attorney's fees. The Board shall promulgate rules and regulations establishing reasonable costs, expenses and attorneys' fees.

§ 333. Revocation and Reapplication

A person whose license has been revoked may become eligible not earlier than one year from the date of the revocation for a new license, upon meeting all of the requirements of this chapter.

§ 334. Appeal

(a) Any person aggrieved by an action of the Board in revoking, suspending, or refusing to issue his or its license may appeal such action to any court of competent jurisdiction in the Virgin Islands within 30 days after the date of such action. The filing of an appeal shall not stay the action complained of, unless specifically ordered by the court. If the aggrieved party fails to file an appeal with the court within thirty days, the Board's findings and ruling shall be final.

(b) Upon appeal, every finding, decision and determination by the Board, as to questions of fact, shall be deemed final in the absence of conclusive evidence showing to the court fraud or that the decision of the Board was not based on substantial evidence in the record.

§ 335. Penalties

Whoever violates any provisions of this chapter or any rule or regulation thereunder shall be fined not less than \$1,000 for each violation or act of non-compliance."

Thus passed by the Legislature of the Virgin Islands on December 15, 1999.

Witness our Hands and the Seal of the Legislature of the Virgin Islands this 22 Day of December, A.D., 1999.

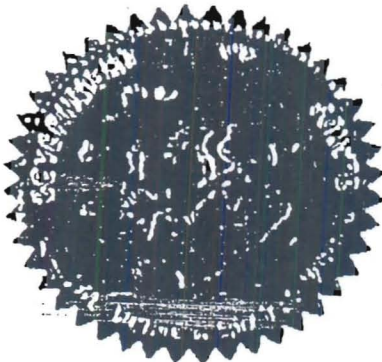


Vargrave Richards
VARGRAVE A. RICHARDS
President

Roosevelt St. C. David
ROOSEVELT ST. C. DAVID
Legislative Secretary

The above bill is hereby approved.

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, this 30th day of December, A.D., 1999.



Charles W. Turnbull
Charles W. Turnbull
Governor

§ 329. Bonds

(a) Every person licensed under the provisions of this chapter shall execute and deposit with the Commissioner a bond in a sum of not less than \$100,000 and with such number of U.S. Treasury listed and rated sureties as the Board may determine, to be conditioned upon:

(1) the faithful performance of all work in accordance with applicable building codes and regulations;

(2) the licensee's paying all compensatory awards to consumers in whose favor such awards are rendered by the Board, as well as all fines and penalties properly imposed upon him for violation of the provisions of this chapter and any other applicable law; and

(3) the licensee's indemnifying the Government of the Virgin Islands, or the Board, as being held harmless from the consequences of any and all acts of said licensee during the period covered by such bond.

(b) No license issued pursuant to this chapter shall be valid unless a bond is executed and deposited as provided by this section. Pursuant to the powers granted by section 324 of this chapter, the Board may, by rules and regulations, uniformly increase the amount of any bond required by this section.

(Added Dec. 30, 1999, No. 6337, § 1(a), Sess. L. 1999, p. 243; amended Feb. 1, 2001, No. 6391, § 2(o)(7), Sess. L. 2000, p. - .)

**GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES
VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE
APPLICATION FOR
TAX FILING AND PAYMENT STATUS REPORT-LICENSING**

The applicant identified below hereby requests a letter certifying his or her tax filing and payment status for the purpose of receiving a new or renewal license from the department of Licensing and Consumer Affairs pursuant to Section 101 of Act 5060, codified as Title 27, Section 304, Subchapter (j) Virgin Islands Code. The applicant authorizes the Virgin Islands Bureau of Internal Revenue to disclose any taxpayer information related to this application to the Department of Licensing and Consumer Affairs, who may make such further disclosures as are necessary to carry out the requirements of Act 5060.

1. APPLICANT NAME: _____

2. BUSINESS NAME: _____

3. BUSINESS EIN: _____

4. APPLICANT SSN: _____ SPOUSE SSN: _____

5. PLEASE INDICATE: ☐ NEW LICENSE ☐ RENEWAL

6. ☐ SELF-EMPLOYED ☐ CORPORATION ☐ PARTNERSHIP ☐ S CORPORATION ☐ OTHER

7. TYPE OF BUSINESS: _____ DO YOU HAVE EMPLOYEES? _____

8. PLEASE CIRCLE FORMS THAT YOU USE:

(1040, 1065, 1120, 1120S, 941V.I., 501V.I., 720V.I., 720B-V.I., 722V.I. Other - List) _____

9. DATE BUSINESS STARTED: _____ LICENSE EXPIRATION DATE: _____

10. PERSON REPRESENTING APPLICANT: _____

11. POSITION OF REPRESENTATIVE: _____

12. SIGNATURE: _____

13. MAILING ADDRESS: _____

14. PHYSICAL ADDRESS: _____

DATE: _____ TELEPHONE NO: _____

**REPLY TO: LOCKHART GARDENS NO. 1A, ST. THOMAS, VIRGIN ISLANDS 00802
OR: 4008 ESTATE DIAMOND, LOT 7B, ST. CROIX, VIRGIN ISLANDS 00820**

INSTRUCTIONS FOR FORMS LIC 1 AND LIC 1A

Please print (except for the signature). Do not write with a pencil. Prepare this form in duplicate. Have one of the copies stamped for your record. Save this copy for future reference. **DO NOT SUBMIT A COPY OF THIS APPLICATION TO LICENSING AND CONSUMER AFFAIRS.** This form must be completed in its entirety before a letter certifying tax filing and payment status can be issued.

You are required to complete and submit a Notarized Affidavit (Form LIC 1A) if you have not resided in the Virgin Islands and have not filed your Federal Income Tax Returns for the three years prior to this application with the Bureau, if you have been unemployed for the past three years or if you were attending school. **CORPORATIONS AND PARTNERSHIPS** - List name, social security number, and mailing address for corporate officers or partners. **S CORPORATIONS** - Also list name, social security number, and mailing address for all shareholders. **ALL INCOMPLETE APPLICATIONS WILL BE REJECTED.**

Specific Instructions

1. Applicant Name: the applicant can be an individual (selfemployed person), a partnership, a corporation, etc.
2. Business Name: The name under which business is conducted; it may be the same as or different to the applicant's name (i.e. John Smith (applicant) d/b/a Smith's Construction (business name)) (d/b/a - doing business as)
3. Business EIN: Employer Identification Number, a 9-digit number issued by the Internal Revenue Service in Philadelphia to partnerships, corporations and self-employed individuals who pay wages to one or more employee.
4. Applicant SSN: Social Security Number, a 9-digit number issued to an individual by the Social Security Administration. Spouse SSN: also a 9-digit number.
5. Type of License: check one (1) to indicate whether this application is for a new license or a renewal license.
6. Form of Business: check one (1) to indicate whether the business is organized as a Sole Proprietorship (self-employed), a Corporation ("C" Corporation), a Partnership, or a Subchapter S Corporation ("S" Corporation).
7. Type of Business: indicate what activity or profession is the source of your sales (i.e. clothing store, taxi).
8. Circle Forms that you use: 1120 (C Corporation), 1065 (Partnership), 1120S (S Corporation), 1040 (Individual), 941VI & 501VI (Withholding Tax), 720VI & 720B-VI (Gross Receipts Tax), 722VI (Hotel Room Tax).
9. License Expiration Date: date shown on your business license.
10. and 11. Person Representing Applicant: If other than the applicant, a partner or a corporate officer, this individual must attach a valid power of attorney (Form 2848) to receive the tax clearance letter.
12. All applications **must be** signed.
13. Mailing address is essential for proper delivery of tax clearance letter.
14. Physical Address is also required by licensing. Telephone No.: A day-time number is essential.

Form LIC 1A

AFFIDAVIT

UNITED STATES VIRGIN ISLANDS

)

SSN:

ST. CROIX, ST. THOMAS & ST. JOHN

)

I _____, after first being duly sworn, hereby dispose and say:

1. That I am a resident of _____
2. That during the period from _____ to _____
I have been residing in _____
and have filed my Federal Income Tax Returns with and paid any taxes due to the United States Federal Government at the Internal Revenue Service office in _____ and to the State of _____.
- or
3. That during the period from _____ to _____
I have been residing in _____
and I was unemployed or did not have sufficient income to file an income tax return (mark out which one does not apply). If I was a full or part-time student, I attended _____.

Signature

Subscribed and Sworn before me on this _____ day of _____.

Notary Public

2009 CONSTRUCTION CONTRACTORS EXAM DATES & DEADLINES



EXAM DATE

APPLICATION DEADLINE

FEBRUARY 20, 2009

JANUARY 16, 2009

JUNE 19, 2009

MAY 15, 2009

OCTOBER 23, 2009

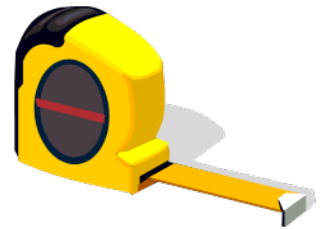
SEPTEMBER 18, 2009



For further information, please contact the
Office of Boards and Commissions.

On St. Croix (340) 773-2226

On St. Thomas (340) 774-3130



Application Fee: \$25.00

Exam Fee: \$100.00